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19 *Attorneys for Defendant Google LLC*

20 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

21 CHASOM BROWN, *et al.*, on behalf of  
22 themselves and all others similarly situated,

23 Plaintiffs,

24 v.

25 GOOGLE LLC,

26 Defendant.

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Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF DONALD SETH  
FORTENBERRY IN SUPPORT OF  
DEFENDANT GOOGLE LLC’S  
RESPONSE TO PLAINTIFFS’ MOTION  
*IN LIMINE* 3 RE: USE OF GOOGLE  
SERVICES BY THE COURT, LAW  
FIRMS, AND EXPERTS**

The Honorable Yvonne Gonzalez Rogers  
Date: November 29, 2023  
Time: 9:00 a.m.  
Location: Courtroom 1 – 4<sup>th</sup> Floor

Trial Date: January 29, 2024

1 I, Donald Seth Fortenberry, declare as follows:

2 1. I am a member of the bar of the State of New York and an associate attorney for  
3 Quinn Emanuel Urquhart & Sullivan, LLP. I make this declaration of my own personal, firsthand  
4 knowledge, and if called and sworn as a witness, I could and would testify competently thereto.

5 2. I submit this declaration in support of Google's Response to Plaintiffs' Motion *In*  
6 *Limine* 3 Re: Use of Google Services by the Court, Law Firms, and Experts.

7 3. Attached hereto as Exhibit A is a true and correct copy of an excerpted transcript of  
8 the July 15, 2022 deposition of Mark Keegan.

9 4. Attached hereto as Exhibit B is a true and correct copy of an excerpted transcript of  
10 the July 20, 2022 deposition of Jonathan Hochman.

11 5. Attached hereto as Exhibit C is a true and correct copy of the Privacy Policy of  
12 Morgan & Morgan, P.A., accessed on October 13, 2023 at [https://www.forthethepeople.com/privacy-](https://www.forthethepeople.com/privacy-policy/)  
13 [policy/](#).

14 I declare under penalty of perjury of the laws of the United States that the foregoing is true  
15 and correct.

16 Executed in Hoboken, New Jersey on October 17, 2023.

17 By /s/ Donald Seth Fortenberry  
18 Donald Seth Fortenberry

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# **EXHIBIT A**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

4 CHASOM BROWN, WILLIAM BYATT, ) Case No.  
5 JEREMY DAVIS, CHRISTOPHER ) 5:20-cv-03664-LHK-  
6 CASTILLO, and MONIQUE TRUJILLO ) SVK  
individually and on behalf of )  
all other similarly situated, )  
)  
7 Plaintiffs, )  
)  
8 vs. )  
)  
9 GOOGLE LLC, )  
)  
10 Defendant. )  
)

---

VIRTUAL VIDEOCONFERENCE VIDEO-RECORDED  
DEPOSITION OF MARK KEEGAN

Friday, July 15, 2022

## Remotely Testifying from Rye, New York

23 Stenographically Reported By:  
24 Hanna Kim, CLR, CSR No. 13083  
25 Job No. 5302317

1	UNITED STATES DISTRICT COURT	1	REMOTE APPEARANCES OF COUNSEL: (CONTINUED)
2	NORTHERN DISTRICT OF CALIFORNIA	2	
3		3	Also Present:
4	CHASOM BROWN, WILLIAM BYATT, ) Case No.	4	AN TRUONG, ESQ, Simmons Hanly Conroy
	JEREMY DAVIS, CHRISTOPHER ) 5:20-cv-03664-LHK-	5	(For Plaintiffs in Calhoun v. Google)
5	CASTILLO, and MONIQUE TRUJILLO ) SVK	6	LAURA O'LAUGHLIN, Analysis Group
	individually and on behalf of )	7	ANUSHKA SIKDAR, Boies Schiller Flexner
6	all other similarly situated, )	8	ROBERT FENTON, Video Operator
	)	9	
7	Plaintiffs, )	10	
	)	11	
8	vs. )	12	
	)	13	
9	GOOGLE LLC, )	14	
	)	15	
10	Defendant. )	16	
	_____ )	17	
11		18	
12		19	
13		20	
14	Virtual videoconference video-recorded	21	
15	deposition of MARK KEEGAN, remotely	22	
16	testifying from Rye, New York, taken on	23	
17	behalf of the Defendant, on Friday,	24	
18	July 15, 2022, before Hanna Kim, CLR,	25	
19	Certified Shorthand Reporter, No. 13083.		
20			
21			
22			
23			
24			
25			
	Page 2		Page 4
1	REMOTE VIDEOCONFERENCE APPEARANCES OF COUNSEL:	1	INDEX OF EXAMINATION
2		2	
3	For Plaintiffs:	3	WITNESS: MARK KEEGAN
4	BOIES SCHILLER FLEXNER LLP	4	EXAMINATION
5	BY: JAMES LEE, ESQ.	5	BY MS. OLSON: 10, 243
6	BY: MARK C. MAO, ESQ.	6	BY MR. LEE: 241
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25		25	
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<p>1 of -- of any information that would guide me      2 otherwise.      3 Q. You knew that your browsing wasn't      4 nonexistent completely because the Incognito screen      5 explains that it's visible to your ISP and websites 19:57:07      6 you visit; right?      7 A. I can't say that I did. I had confidence,      8 as I can recall now, as best I can recall now, I had      9 confidence that when I was in Incognito, that --      10 that this, you know, never happened. Yeah, I -- I 19:57:37      11 didn't sit around and -- and debate the issue like      12 we are now. And -- and if you asked me these --      13 these questions prior to my involvement in this      14 case, and I -- and I thought harder about these      15 issues, you know, maybe -- maybe I'd have some more 19:57:55      16 clarity there. It's hard to say. But my      17 recollection of using Incognito was that this --      18 this never happened.      19 Q. But were you trying to get privacy from      20 Google specifically or from all companies that 19:58:18      21 engage in tracking?      22 A. I would say all companies that -- when      23 using Incognito, I was under the impression and the      24 hope that -- that, as I said, that this -- this was      25 not something that was being retained in the data 19:58:52</p>	<p>1 BY MS. OLSON:      2 Q. And so, you wouldn't want to facilitate      3 Google's receipt of this data from private browsing      4 mode users; is that correct -- or is that accurate?      5 MR. LEE: Wait, what? Say that again. 20:00:57      6 BY MS. OLSON:      7 Q. Is it accurate that you wouldn't want to      8 facilitate Google's receipt of this data from      9 private browsing mode users?      10 A. Yes. That's -- that I -- of -- of -- 20:01:09      11 me or of other users?      12 MR. LEE: Yeah, let me object to the --      13 beyond the scope of his expert opinion. If      14 Ms. Olson wants to ask you about your personal      15 beliefs for the next 20 minutes, it's fine, but I'd 20:01:29      16 ask for a running objection on beyond the scope.      17 BY MS. OLSON:      18 Q. The question was, is it accurate that you      19 wouldn't want to facilitate Google's receipt of data      20 from other private browsing mode users? 20:01:44      21 A. Correct. Yes. I -- I would not want to      22 be a party to that.      23 Q. Does your website currently use Google      24 Analytics?      25 A. I -- I think it does, but I'm not the 20:01:57</p>
<p>Page 222</p> <p>1 sphere.      2 Q. And later in the paragraph, you say      3 that -- that you "did not know that Google receives      4 and saves from my private browsing mode activities,      5 including in particular when I am visiting 19:59:23      6 non-Google websites without being signed in to any      7 Google account. This was something I first learned      8 when I became engaged as an expert for this      9 litigation." [As read]      10 What exactly was it that you learned that 19:59:36      11 you did not know before after you were engaged in      12 this litigation?      13 MR. LEE: Document speaks for itself.      14 THE WITNESS: Well, I learned that there      15 is a immense amount of data collection that's going 19:59:51      16 on at the user level when you're in Incognito. So      17 that's -- that's what I learned. That was a --      18 quite a surprise to me personally.      19 BY MS. OLSON:      20 Q. Were you offended by it? 20:00:17      21 A. Offended? I --      22 MR. LEE: Beyond the scope.      23 THE WITNESS: Yeah, I -- I wouldn't use      24 the word "offended." I was surprised. I -- I felt      25 a little naive. 20:00:38</p>	<p>Page 224</p> <p>1 person that deals with that.      2 Q. Does your website currently use Google Tab      3 Manager?      4 MR. LEE: Beyond the scope.      5 THE WITNESS: I don't know what that is. 20:02:19      6 BY MS. OLSON:      7 Q. Are you aware if those services -- well,      8 I'll just stick with Google Analytics since you said      9 you didn't know what Google Tab Manager was.      10 Are you aware if the Google Analytics 20:02:39      11 services on your websites continues [verbatim] to      12 function whether or not users are in Incognito mode?      13 MR. LEE: Beyond the scope.      14 THE WITNESS: As I sit here, to the extent      15 that we have Google Analytics, and I think we do. 20:02:52      16 So yes, I hadn't thought about this until you just      17 asked this question. But, yes, it -- it does appear      18 that I am now a party to this, that people who come      19 to our website because if we're using analytics,      20 that -- that from what I've learned in this case, 20:03:20      21 that Google is, you know, tracking them, if -- if      22 they're in private browsing mode and -- and      23 collecting data and doing -- doing -- doing what      24 they do.      25 So this is one of those, you know, gun to 20:03:34</p>

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<p>1 your head situations that we were discussing      2 earlier. Not thrilled about that. But analytics is      3 an important tool for a small company like mine and      4 for a big company like somebody else's, which is why      5 it's as successful as it is. 20:03:55</p> <p>6 So will my disappointment in -- in      7 participating in this behavior, which I now know      8 very clearly users do not expect to happen, I don't      9 love it, but you don't see myself removing analytics      10 from my website. 20:04:19</p> <p>11 BY MS. OLSON:</p> <p>12 Q. Okay. Let's turn to the next paragraph,      13 26.</p> <p>14 A. Okay.</p> <p>15 Q. In paragraph 26, you say, "This study of 20:04:37      16 1,075 U.S. respondents was designed and executed in      17 accordance with accepted standards of survey      18 research. This survey followed the guide" -- "the      19 guiding principles for survey research for the      20 purpose of litigation as outlined by Shari Diamond." 20:04:59</p> <p>21 [As read]</p> <p>22 Do you see that?</p> <p>23 A. I do.</p> <p>24 Q. Would you agree that Shari Diamond is an      25 authority on best practices for survey research used 20:05:10</p>	<p>1 Q. And in the approximately 1,000 consumer      2 surveys I believe you said you've conducted, in      3 approximately how many would you say you've      4 pretested versus not pretested?</p> <p>5 A. Those surveys expand over my, you know, 20:06:36      6 20-plus year career. So there's going to be recency      7 bias in this answer, just to warn you. But so I --      8 I don't know. I would speculate that pretesting is      9 certainly a tool in the -- in the tool kit,      10 available when I have concerns about whatever they 20:07:06      11 are. And they -- they vary wildly -- widely for a      12 particular survey. So there's certainly      13 circumstances pretesting is appropriate. And I've      14 used it. In what percentage, I don't know. But      15 it -- it is something that I've done when I have 20:07:32      16 certain concerns about a survey. And it can be      17 helpful. This was not one of the cases.</p> <p>18 Q. What is your methodology for determining      19 whether a case, it would be helpful to do a pretest,      20 and when it would not be helpful? 20:07:53</p> <p>21 A. Sure.</p> <p>22 Well, I -- I have and I do conduct a great      23 many surveys. So when I have -- when I have a --      24 a -- or when I don't have a comfort level to say the      25 inverse, that this survey -- again, it's -- it's 20:08:15</p>
<p>Page 226</p> <p>1 in litigation?</p> <p>2 A. I would.</p> <p>3 Q. And you cite this paragraph in both of      4 your reports? Or a similar paragraph in both of      5 your reports? 20:05:24</p> <p>6 A. I do.</p> <p>7 Q. And you believe that a reliable and valid      8 survey should follow these principles, the ones      9 listed in the bullets of paragraph 26?</p> <p>10 A. I do. 20:05:35</p> <p>11 Q. The second bullet is a "Rigorous and valid      12 survey design that is probative of the relevant      13 issues in the matter."</p> <p>14 Do you see that?</p> <p>15 A. I do. 20:05:48</p> <p>16 Q. And we briefly mentioned it earlier, but      17 did you conduct any pretesting?</p> <p>18 A. I did not.</p> <p>19 Q. Why not?</p> <p>20 A. Well, for both of these surveys, I did not 20:05:56      21 see the need to -- to pretest the survey. There was      22 nothing that concerned me about the design. There      23 was nothing that stood out to me as potentially      24 problematic. So in that scenario, I -- I would not.      25 And in this case, did not do any pretesting. 20:06:19</p>	<p>Page 228</p> <p>1 really hard to -- to put this in a group because      2 there are lots of reasons that I might pretest.</p> <p>3 But if -- if I don't have a sufficient      4 comfort level that some component or the survey or      5 the flow or the questions or wording or, you know, 20:08:36      6 any -- any number of things may be problematic for      7 any number of reasons, then that would trigger a      8 concern about pretests and something that I would      9 bring up with the client and suggest that we engage      10 in so that we can get the survey right. And maybe 20:08:57      11 we have it right.</p> <p>12 But there's a sufficient concern of      13 whatever it is that we want to bring this to --      14 however you do the pretest. And there's -- you      15 know, there's a number of ways to do that. But we 20:09:15      16 want to bring this to some small group of -- of      17 respondents and -- and evaluate something. And then      18 regroup and see if it's -- see if we've learned      19 anything and if any changes can be made.</p> <p>20 Q. Without conducting pretest for either of 20:09:38      21 your surveys, how do you have scientific evidence      22 that respondents found your survey questions clear?</p> <p>23 A. Well, pretests are typically not      24 quantitative, right. They're qualitative. So      25 that's not scientific evidence, as you describe it. 20:10:05</p>

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1 JURAT 2 3 I, MARK KEEGAN, do hereby certify under 4 penalty of perjury that I have read the foregoing 5 transcript of my deposition taken remotely on 6 Friday, July 15, 2022; that I have made such 7 corrections as appear noted herein in ink, initialed 8 by me; that my testimony as contained herein, as 9 corrected, is true and correct. 10 11 Dated this _____ day of _____, 2022, 12 at _____.	1 Mr. Mark Keegan 2 mark@keegandonato.com 3 July 20, 2022 4 RE: CHASOM BROWN vs. GOOGLE LLC 5 July 15, 2022, Mark Keegan (JOB NO. 5302317) 6 The above-referenced transcript has been 7 completed by Veritext Legal Solutions and 8 review of the transcript is being handled as follows: 9 ___ Per CA State Code (CCP 2025.520 (a)-(e)) – Contact Veritext 10 to schedule a time to review the original transcript at 11 a Veritext office. 12 ___ Per CA State Code (CCP 2025.520 (a)-(e)) – Locked .PDF 13 Transcript - The witness should review the transcript and 14 make any necessary corrections on the errata pages included 15 below, notating the page and line number of the corrections. 16 The witness should then sign and date the errata and penalty 17 of perjury pages and return the completed pages to all 18 appearing counsel within the period of time determined at 19 the deposition or provided by the Code of Civil Procedure. 20 ___ Waiving the CA Code of Civil Procedure per Stipulation of 21 Counsel - Original transcript to be released for signature 22 as determined at the deposition. 23 ___ Signature Waived – Reading & Signature was waived at the 24 time of the deposition.
17 18 19 20 21 22 23 24 25 MARK KEEGAN	Page 246 25 Page 248

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# **EXHIBIT B**

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 OAKLAND DIVISION  
4  
5 CHASOM BROWN,  
6 Plaintiff, Case No.  
7 vs. 4:20-cv-03664-YGR-SVK  
8 GOOGLE LLC,  
9 Defendant.  
\*\*\*\*\*

10 CONFIDENTIAL  
11 ZOOM VIDEOTAPED DEPOSITION OF  
12 JONATHAN E. HOCHMAN  
13 July 20, 2022  
14 10:15 a.m.  
\*\*\*\*\*

15 TAKEN BY:  
16 JOSEF ANSORGE, ESQ.  
17 ATTORNEY FOR DEFENDANT  
18

19 REPORTED BY:  
20 BELLE VIVIENNE, RPR, CRR, NJ-CRR,  
21 WA/CO/NM-CCR  
22 NATIONALLY CERTIFIED REALTIME  
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<p>1 APPEARANCES: (Continued)  2 CRYSTAL NIX-HINES  2 865 South Figueroa Street, 10th Floor  3 Los Angeles, California 90017  3 crystalnixhines@quinnmanuel.com  4  5 VIDEOGRAPHER:  5 Sean Grant  6  6 ALSO PRESENT:  7 Konstantinos Psounis, Ph.D.  7 Julie Burns  8 John Wilson, IV - Quinn Emanuel  9  10  11  12  13  14  15  16  17  18  19  20  21  22  23  24  25</p>	<p>1 - - -  2 E X H I B I T S (Continued.)  3 - - -  4  5 NO. DESCRIPTION PAGE  6 Exhibit 6 E-mail from  7 jkarlin@google.com dated  8 July 31, 2019..... 201  9 Exhibit 7 Jonathan Hochman's  10 Supplemental Report..... 235  11 Exhibit 8 Document titled Table of  12 Contents..... 236  13 Exhibit 9 Article entitled W3C TAG  14 Observations on Private  15 Browsing Modes..... 246  16 Exhibit 10 Google Analytics Terms of  17 Service..... 264  18 Exhibit 11 URL document..... 268  19 Exhibit 12 Declaration of Jonathan  20 E. Hochman..... 289  21 Exhibit 13 Expert Report provided in  22 Rockwood Select Asset  23 Fund XI v Devine,  24 Millimet &amp; Branch..... 293  25</p>
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CONFIDENTIAL

1 Q. Well, would you agree that the	18:17:34	1 A. Yes.	18:19:44
2 website provider either provides or	18:17:35	2 Q. So websites like Hochman	18:19:48
3 assists in the provision of a website?	18:17:38	3 Consultants disclose to users that the	18:19:51
4 A. It sounds like a tautology, so	18:17:45	4 website uses Google Analytics to collect	18:19:54
5 it sounds like a statement that is true on	18:17:48	5 data, correct?	18:19:57
6 its face.	18:17:50	6 A. Yes, I think that this text	18:20:02
7 Q. Should be easy to agree with.	18:17:51	7 might even be some standard text because I	18:20:04
8 A. I think I just did.	18:17:55	8 don't think I wrote it all myself. I	18:20:07
9 Q. And would you agree that a	18:17:58	9 probably got it from somewhere, maybe	18:20:10
10 website provider helps to facilitate a	18:18:00	10 even -- maybe even from Google Analytics	18:20:12
11 website?	18:18:02	11 itself.	18:20:17
12 A. Yes, and for -- for example, we	18:18:06	12 I don't recall, though, because	18:20:17
13 used -- we used WordPress and some	18:18:09	13 it was a while ago that I added this or	18:20:18
14 different plug-ins to construct this	18:18:13	14 someone -- maybe Julie added it. I don't	18:20:23
15 website.	18:18:15	15 know. Someone added it to the website	18:20:25
16 Q. Can you turn to the third	18:18:17	16 because, I think, vaguely I remember at	18:20:27
17 paragraph on page 4 of Exhibit 15? And	18:18:23	17 some point in time, Google Analytics said	18:20:29
18 this is the paragraph in the middle that	18:18:27	18 that you have to add some disclosures.	18:20:31
19 begins "When you access the Website" and	18:18:29	19 And with that said, I still	18:20:36
20 let me know when you're there.	18:18:30	20 don't think that this in any way gets	18:20:37
21 A. Yes.	18:18:32	21 close to disclosing what I've now learned	18:20:39
22 Q. Do you see where it says "When	18:18:34	22 and documented in my reports.	18:20:43
23 you access the Website by or through a	18:18:36	23 Q. And as we discussed a little	18:20:47
24 mobile device, we may collect certain	18:18:39	24 while ago and you just referenced,	18:20:49
25 information automatically including but	18:18:41	25 Google's terms of service for Google	18:20:52
Page 310		Page 312	
1 not limited to the type of mobile device	18:18:44	1 Analytics require Google Analytics	18:20:56
2 you use, your mobile device unique ID, the	18:18:46	2 customers to disclose the use of Google	18:20:56
3 IP address of your mobile device, your	18:18:52	3 Analytics, correct?	18:20:59
4 mobile operating system, the type of	18:18:54	4 A. I think we looked at that.	18:21:00
5 mobile Internet browser you use, unique	18:18:55	5 Q. Mr. Hochman, your website's	18:21:07
6 device identifiers and other diagnostic	18:18:59	6 privacy policy does not tell users that	18:21:10
7 data"?	18:19:01	7 Google Analytics will still receive data	18:21:14
8 Did I read that correctly?	18:19:01	8 even when they are in private browsing	18:21:16
9 A. Yes.	18:19:03	9 mode, correct?	18:21:18
10 Q. And you see the fourth paragraph	18:19:06	10 A. It doesn't mention private	18:21:19
11 on page 4 of Exhibit 15? It reads "We may	18:19:08	11 browsing mode here; does it?	18:21:23
12 also collect information that your browser	18:19:17	12 Q. And why not?	18:21:25
13 sends whenever you visit our Website or	18:19:20	13 A. I'm under a Protective Order in	18:21:31
14 when you access the Website by or through	18:19:21	14 this case. I'm not talking about this	18:21:32
15 a mobile device."	18:19:24	15 case. I'm not taking any information I	18:21:34
16 Do you see that?	18:19:26	16 get from this case and giving it to other	18:21:36
17 A. Yes.	18:19:26	17 clients or giving it to the public.	18:21:38
18 Q. Then further below, do you see	18:19:30	18 Q. So you believe that the fact	18:21:41
19 the section on "Tracking Technologies"?	18:19:32	19 that Google Analytics still functions for	18:21:42
20 A. Yes.	18:19:34	20 website visits that are in private	18:21:48
21 Q. It states "We use, or have used,	18:19:36	21 browsing mode is a secret that no one else	18:21:51
22 web analytics products such as Google	18:19:38	22 is aware of?	18:21:55
23 Analytics to track the activity on our	18:19:40	23 A. The content of the material in	18:21:57
24 Website and store certain information."	18:19:42	24 my report is marked AEO. I'm not tipping	18:21:59
25 Do you see that?	18:19:44	25 off anyone about what's in my report. I'm	18:22:03
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CONFIDENTIAL

1 not leaking it. All right. You guys at 18:22:06	1 Q. And so if a website does not 18:24:59
2 Google, maybe you don't like me that much. 18:22:09	2 install Google Analytics code, then no 18:25:07
3 I think you respect me that I'm not a 18:22:11	3 data is sent to Google Analytics when a 18:25:10
4 leaker. I don't leak your stuff, okay? 18:22:13	4 user visits the website, correct? 18:25:12
5 I'm trusted with confidential information. 18:22:15	5 A. If the Google Analytics code is 18:25:18
6 I don't leak it. I don't talk about it. 18:22:18	6 not installed and none of Google's other 18:25:19
7 After this case is resolved, if 18:22:21	7 tracking beacons are installed, then I 18:25:23
8 Google changes its disclosures, I'll 18:22:23	8 would not expect data to be sent to 18:25:26
9 update my privacy policy accordingly. 18:22:25	9 Google. 18:25:28
10 Q. Now, why do you use Google 18:22:38	10 Q. Are any Google Analytics 18:25:34
11 Analytics on your website? 18:22:57	11 tracking beacons existing on websites when 18:25:36
12 A. I don't really have any other 18:22:57	12 the website did not install them? 18:25:40
13 good choice. 18:22:59	13 A. That sounds kind of like an edge 18:25:46
14 Q. And has Google Analytics ever 18:23:09	14 case. 18:25:48
15 told you or any other website developers 18:23:13	15 Q. So for the tracking beacons to 18:25:50
16 that Analytics does not work in incognito 18:23:15	16 exist on any websites, the website itself 18:25:53
17 mode? 18:23:18	17 has to install those quote/unquote 18:25:57
18 A. I've never really looked at 18:23:19	18 tracking beacons; isn't that correct? 18:26:00
19 whether Google Analytics did or didn't 18:23:23	19 A. All right. So now I'm thinking 18:26:02
20 work in incognito mode. It's just not 18:23:24	20 about this. Some websites are like 18:26:03
21 come up, and it's not something that I 18:23:26	21 services where you go to a service 18:26:07
22 thought about prior to this case. 18:23:28	22 provider and they give you a turnkey 18:26:09
23 Q. And Hochman Consultants states 18:23:31	23 website, and they may include Google 18:26:11
24 in its privacy policy that Google 18:23:33	24 Analytics just rolled up in that. 18:26:16
25 Analytics -- 18:23:46	25 So the -- the website operator 18:26:18

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1 (Reporter clarification.) 18:23:46	1 may not install it, the vendor might 18:26:19
2 BY MR. ANSORGE: 18:23:46	2 install Google Analytics. The vendor 18:26:22
3 Q. -- that it uses Google Analytics 18:23:46	3 might even have their own Google Analytics 18:26:24
4 to monitor activity on the website, 18:23:48	4 installed on that site and then provide 18:26:27
5 correct? 18:23:51	5 data or reports to the -- to the website 18:26:29
6 MR. MAO: Sorry, could I have -- 18:23:53	6 operator. 18:26:31
7 the sigh in the middle of that 18:23:55	7 So it -- there can be some 18:26:32
8 question threw me off. Ms. Vivienne 18:23:57	8 alternate organizations in delegation or 18:26:34
9 can I just trouble you to read that 18:23:59	9 division of -- of how that comes to be. 18:26:40
10 back? I want to make sure I have a 18:24:01	10 MR. ANSORGE: I think this would 18:26:52
11 question there. 18:24:03	11 be a good time for us to take a five- 18:26:53
12 THE COURT REPORTER: Sure. 18:24:05	12 or ten-minute break. Is that all 18:26:55
13 MR. MAO: Thank you. 18:24:12	13 right if we go off the record? 18:26:56
14 (Whereupon, the question is read 18:24:25	14 MR. MAO: Sure. 18:26:58
15 back by the reporter.) 18:24:25	15 THE VIDEOGRAPHER: Off the 18:26:59
16 A. You sort of paraphrased what 18:24:32	16 record. The time is 6:27 p.m. 18:27:00
17 we've said. So what it says, I think, is 18:24:34	17 (Whereupon, a brief recess is 18:27:34
18 already in the record, and that's my 18:24:37	18 taken.) 18:40:38
19 answer for, you know, what it says. 18:24:39	19 THE VIDEOGRAPHER: Back on the 18:40:38
20 BY MR. ANSORGE: 18:24:39	20 record. The time is 6:41 p.m. 18:40:51
21 Q. And the decision to use Google 18:24:44	21 BY MR. ANSORGE: 18:40:54
22 Analytics is up to the website in this 18:24:47	22 Q. Mr. Hochman, if a user does not 18:40:55
23 case -- in this case, it would be up to 18:24:53	23 sign in to a Google account while using 18:40:58
24 Hochman Consultants; isn't that correct? 18:24:55	24 private browsing mode, then Google does 18:41:02
25 A. Yes. 18:24:59	25 not join the data from those signed-out 18:41:04

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<p>1 consider it. 19:34:07          2 MR. ANSORGE: Well, can you let 19:34:10          3 us know later today whether you'll 19:34:12          4 oblige us or not, or should we expect 19:34:14          5 to be provided with a list of all the 19:34:17          6 sources that Mr. Hochman considered 19:34:20          7 and relied upon in forming his 19:34:22          8 conclusions in this case? 19:34:25          9 MR. MAO: We've heard your 19:34:26          10 request. We believe we complied with 19:34:27          11 the statute, but we will consider it. 19:34:29          12 I'd like -- I prefer less arguments 19:34:31          13 rather than more. 19:34:33          14 BY MR. ANSORGE: 19:34:37          15 Q. Well, Mr. Hochman, two minutes 19:34:38          16 remaining. 19:34:43          17 (Reporter clarification.) 19:34:43          18 BY MR. ANSORGE: 19:34:43          19 Q. Okay. How is it now? 19:34:56          20 A. The Internet gods have given you 19:34:59          21 a reprieve. Go ahead. 19:35:01          22 Q. Yes. Well, I wanted to thank 19:35:03          23 you for your time today. I look forward 19:35:06          24 to spending more time with you tomorrow. 19:35:08          25 I appreciate your patience. 19:35:10</p>	<p>1 _____          2 JONATHAN E. HOCHMAN          3 _____          4 Subscribed and sworn to          5 before me this _____          6 day of _____ 2022.          7 _____          8 Notary Public          9 _____          10 _____          11 _____          12 _____          13 _____          14 _____          15 _____          16 _____          17 _____          18 _____          19 _____          20 _____          21 _____          22 _____          23 _____          24 _____          25 _____</p>
<p style="text-align: right;">Page 358</p> <p>1 MR. ANSORGE: For the documents 19:35:12          2 that we have provided to -- which 19:35:13          3 we've also produced, we can tomorrow 19:35:17          4 or tonight provide you with the 19:35:20          5 produced documents. I don't know if 19:35:23          6 you'll want them tomorrow or not. 19:35:25          7 But with that, I look forward to 19:35:27          8 seeing you tomorrow at 10:00 a.m. 19:35:29          9 THE WITNESS: 10:00 a.m. 19:35:33          10 MR. MAO: Thank you. Thank you 19:35:35          11 everyone. 19:35:36          12 THE VIDEOGRAPHER: This 19:35:37          13 concludes -- this concludes volume 1 19:35:37          14 of the videotaped deposition of 19:35:46          15 Jonathan Hochman. We are off the 19:35:48          16 record at 7:36 p.m. 19:35:49          17 MR. MAO: I would like a rough. 19:36:05          18 THE COURT REPORTER: Do you want 19:36:17          19 an expedite transcript? 19:36:19          20 MR. MAO: Yes, please. 19:36:22          21 (Time noted: 7:36 p.m.)          22          23          24          25</p>	<p style="text-align: right;">Page 360</p> <p>1 CERTIFICATION          2          3 I, BELLE VIVIENNE, a Nationally          4 Certified Realtime Reporter, do hereby          5 certify:          6 That the witness whose testimony as          7 herein set forth, was duly sworn by me;          8 and that the within transcript is a true          9 record of the testimony given by said          10 witness.          11 I further certify that I am not          12 related to any of the parties to this          13 action by blood or marriage, and that I am          14 in no way interested in the outcome of          15 this matter.          16 IN WITNESS WHEREOF, I have hereunto          17 set my hand this 25th day of July 2022.          18          19          20 <i>Belle Vivienne</i>          21 BELLE VIVIENNE, CRR, CCR, RPR          22          23 * * *          24          25</p>

# **EXHIBIT C**

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# MORGAN & MORGAN, P.A.

## PRIVACY POLICY

Morgan & Morgan, P.A. and its affiliates (referred to herein as "MM", "we", "us", or "our") respects your privacy and is committed to complying with this privacy policy ("Privacy Policy"), which describes what information we collect about you, how we use it, with whom we may share it, and what choices you have regarding our use of your information. This Privacy Policy applies to personal information collected in connection with our website located at <https://forthepeople.com> and any other webpage that MM maintains that links to this Privacy Policy (collectively, the "Site"), any current or future mobile applications associated with MM or the website (collectively, the "App"), our email communications, our social media pages, other online or wireless offerings that post a link to the Privacy Policy, and other circumstances in connection with the services we provide (collectively, the "Platform").



### TYPES OF PERSONAL INFORMATION WE COLLECT

The types of personal information we collect will depend on the services you request and, if you are a client, the nature of our representation or your case. The table below describes some of the categories (with non-exhaustive examples) of personal information we may collect about you:

#### Categories

#### Examples

**A. Individual Identifiers and Demographic Information**

**Contact information**, such as name, email address, phone number, mailing address, job title, and organization.

**Identifiers**, such as client ID, username, IP address, device ID, and other online identifiers that may be collected automatically when you use the Platform.

**Demographic information**, such as date of birth and general location information like city, state, and geographic area.

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**B. Sensitive Personal Information**

**Government ID numbers**, such as Social Security number, driver's license number, passport number, and other identification information.



**Financial information**, such as financial account numbers, wiring instructions, insurance policy numbers, invoices, and other payment or bank account details.

**Medical information**, such as doctor's notes, treatment plans, medical conditions, prescription medicines, insurance documentation, doctor visit information, daily symptom reporting, and other records and information.

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**C. Geolocation Data**

**Precise physical location**, which we may collect via the

App if you consent to that collection through the App.

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#### E. Sensory Data

**Call recordings**, such as our recordings of calls you make to our customer service team.

**Other sensory data**, such as any audio recordings, photographs, videos, or similar data that may be provided as part of a case file.

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#### F. Biometric Information

**Biometric information**, such as facial scans or fingerprint scans if you opt-in to using this information for logging in or authenticating your account on the App.



#### G. Commercial Information

**Representation information**, such as details about your claim, case, or other legal matter, the distribution of settlement of other payments to you (if applicable).

**Account information**, such as the username and password you provide when you register for an account and any information stored or transmitted in your account or profile.

**Communications**, such as when you call or email us, confidential and privileged communications that you may make with our attorneys, and your

conversations with our digital chat services.

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**H. Internet or Network Activity**

**Online activity information**, such as linking pages, pages or screens viewed, time spent on a page or screen, navigation paths between pages or screens, information about activity on a page or screen, access times, duration of access, and other online activity information.

**Device information**, such as computer and mobile operating system, operating system type and version number, wireless carrier, manufacturer and model, browser type, screen resolution, general location information such as city, state, or geographic area, and other device information collected automatically.

**I. Professional or Employment-Related Information**

**Job application information**, such as your resume or CV, background check information, references, and other information.

**Employment information**, such as title, role, employer, employment history, current or past job history, and other professional information.

**J. Education**

**Education records**, such as

**Information**

transcripts or education history.

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**K. Inferences Drawn from Personal Information**

**Profiles** reflecting preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, or aptitudes.

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We may collect the categories of personal information described above from the following sources:

- **Personal Information You Provide Us.** We collect the personal information that you provide to us while using our Platform, including contacting us, creating an account, applying for a position, or otherwise. Further, where expressly designated by MM, some portions of the Services may be used by active MM clients to communicate pursuant to an attorney/client relationship. You may choose whether or not to provide such information; however, the information may be required to respond to your request.
- **Personal Information Collected Automatically.** We and our third party providers may use cookies and other technologies such as log files, cookies, tracking pixels, and analytic tools and services to collect personal information automatically about you. Such information includes your geolocation and the online identifiers, device information, and online activity information described above.
- To facilitate the automatic collection described above, we may use the following technologies:
  - **Cookies.** A cookie is a small piece of data stored by your web browser on your computer or mobile device. We use cookies to collect information from you regarding your usage of the Platform in order to remember user preferences and settings, personalize your experience with the Platform, facilitate online advertising, and for security purposes. You may opt-out of the automatic collection of some information by referring to your web



browser or mobile device options or settings menu. However, doing so may disable many of the portions, features, or functionality of the Platform. Each browser is different, so check the “Help” menu of your browser to learn how to change your cookie preferences or visit <http://www.allaboutcookies.org> for more information.

- **Pixels.** Pixels, which are also known as “web beacons,” or “clear GIFs,” are typically used to determine whether a webpage or email was accessed or opened, or that certain content was viewed or clicked. Data collected from pixels is often used to compile statistics about usage of websites and the success of email marketing campaigns.
- **SDKs.** Software development kits, or “SDKs,” are third-party computer codes used in connection with the App for a variety purposes, including to provide analytics regarding the use of the App, integrate with social media, add features or functionality to the App, or facilitate online advertising. SDKs may enable third parties to collect information directly via the App.
- **Personal Information Collected from Third Parties.** We may also collect or receive personal information from third parties, which may include:
  - **Our business partners**, such as third-party data providers and advertising partners.
  - **Public sources**, such as social media platforms and publicly-available records.
  - **Individuals or entities involved in our clients' legal matters**, such as doctors, other parties, and other individuals that you may direct to provide us with information.
  - **Referral sources**, such as members of our referral network, website submissions, and other referral sources.



## ONLINE ANALYTICS

We may use third party analytics tools, such as Google Analytics and Mouseflow, in order to better

understand your use of our Platform and how we can improve them. These tools collect information sent by your browser or mobile device, including the pages you visit and other usage information. For more information regarding how Google collects, uses, and shares your information please visit <http://www.google.com/policies/privacy/partners/>. For more information on Mouseflow's privacy practices, please visit <https://mouseflow.com/privacy/>. To prevent data from being used by Google Analytics, you can download the opt-out browser add-on at: <http://tools.google.com/dlpage/gaoptout?hl=en>. You can opt out of Mouseflow analytics at: <https://mouseflow.com/opt-out/>.

## USE OF PERSONAL INFORMATION

We may use the personal information we collect for the following purposes and as otherwise described in this Privacy Policy or at the time of collection:

- **To Provide Our Platform.** We use personal information to provide our services, including the Platform. For example, we use personal information:



- to facilitate your requests for a free case evaluation and determine your legal needs;
- to provide you with legal and other services, content, and features you request;
- to create, manage, and monitor your account;
- to respond to your inquiries and communicate with you, including placing calls or sending texts using any automated technology, including prerecorded messages;
- to operate, troubleshoot, and improve the Platform;
- to process your transactions, invoices, and settlement payments;
- to understand your interests, personalize your experience on the Platform, and deliver information about products and services relevant to your interests;
- respond to your inquiries and requests for customer support, including to investigate and address your concerns and monitor and improve our responses; and
- enable security features of the Platform, such as by sending you security codes via email or SMS, and remembering devices from which you have previously logged in.

- **For Direct Marketing.** We may use your personal information to send you newsletters, legal updates, event information, marketing communications, and other information that may interest you.
- **For Research and Development.** We use personal information for research and development purposes and to understand how people are using the Platform, including by generating and analyzing statistics, preferences, and usage trends, to make our Platform and other offerings better, diagnose technical issues, and develop new features and functionality. As part of these activities, we may create aggregated, de-identified or other anonymous data from personal information we collect. We make personal information into anonymous data by removing information that makes the data personally identifiable to you. We may use this anonymous data and share it with third parties for our lawful business purposes, including to analyze and improve the Platform and promote our business.
- **For Hiring Purposes.** If you apply to one of our open positions, submit application information or inquire about a position, we will use your personal information as part of the evaluation, recruitment, and hiring of personnel, including conducting background checks and contacting references.
- **For Compliance, Fraud Prevention and Safety.**
  - to enforce our Terms of Use and other agreements we may have;
  - to comply with applicable laws, regulations, and legal processes;
  - to protect our, your, or others' rights, privacy, safety, or property (including by making and defending legal claims);
  - to maintain the security and integrity of our business, the Platform, users, our third party business partners and service providers our databases and other technology assets;
  - audit our internal processes for compliance with legal and contractual requirements and internal policies; and
  - prevent, identify, investigate and deter fraudulent, harmful, unauthorized, unethical or illegal activity, including cyberattacks and identity theft.
- **For Interest-Based Advertising.** We, our business partners, and our third party advertising partners may collect and use your personal information for



advertising purposes. We may contract with third-party advertising companies and social media companies to help us advertise our services, identify potential customers, and display ads on our Platform and other sites and services, including through the use of interest-based advertising. These companies may use cookies and similar technologies to collect information about you (including the device information and online activity information described above) over time across our Platform and other sites and services or your interaction with our emails, and use that information to serve ads that they think will interest you and/or use hashed customer lists that we share with them to deliver ads to you and to similar users on their sites and services. You can learn more about your choices for limiting interest-based advertising, in the "Advertising Choices" section below.

## SHARING OF PERSONAL INFORMATION

In addition to the specific situations discussed elsewhere in this Privacy Policy or as otherwise described at the time of collection, we may share personal information with the following categories of recipients:



- **Service Providers.** MM may share your personal information with third-party service providers that perform services for us or on our behalf, such as web-hosting companies, mailing vendors, analytics providers, event hosting services, and information technology providers. These third-party service providers have access to personal information needed to perform their functions, but may not use it for other purposes.
- **Other Law Firms or Lawyers.** MM may share, at your direction or with your permission, your personal information with other law firms and/or other lawyers where we jointly represent a client and when we refer cases or potential cases to other counsel, or as otherwise required in connection with our legal representation of you. Personal information provided pursuant to an attorney/client relationship may not be shared with third parties except as is done with such precautions to preserve the confidentiality of such information and any attorney/client privilege as may attach to such information.

- **Authorities, Law Enforcement, and Others.** MM may disclose personal information to comply with laws, regulations or other legal obligations, to assist in an investigation, to protect and defend our rights and property, or the rights or safety of third parties, to enforce our agreements, Terms of Use or this Privacy Policy or agreements with third parties, or for crime-prevention purposes.
- **Business Transactions.** MM may disclose your personal information to service providers, advisors, potential transactional partners, or other third parties in connection with the consideration, negotiation, or completion of a transaction (or potential transaction) such as a corporate divestiture, financing, merger, consolidation, acquisition, reorganization, sale, spin-off, or other disposition of all or any portion of the business or assets of, or equity interests in, MM or our related companies (including in connection with a bankruptcy or similar proceedings).
- **Advertising Partners.** We may share your personal information with third party advertising or joint marketing partners for the purposes described in this Privacy Policy or at the time of collection.
- **Professional Advisors.** We may disclose your personal information to our professional advisors, such as lawyers, bankers, auditors and insurers, where necessary in the course of the professional services that they render to us.
- **Affiliates and Related Companies.** We may share your personal information with companies that are affiliated with us (that is, that control, are controlled by, or are under common control with us) or may be affiliated with us in the future for the purposes described in this Privacy Policy.
- **Consent.** MM may otherwise disclose your Personal Information in accordance with your consent.



## YOUR CHOICES

- **Opt-Out of Marketing Communications.** If you no longer wish to receive marketing communications from us, you can let us know by sending an email to [contact@forthepeople.com](mailto:contact@forthepeople.com) or by mail at the address provided below in "Contact Us". The

electronic marketing communications we send may also contain an opt-out mechanism. Please note that it may take up to 10 calendar days to remove your contact information from our marketing communications lists, so you may receive correspondence from us for a short time after you make your request. Please also contact us to update or correct your information if it changes or if you believe that any information that we have collected about you is inaccurate.

- **Text Messages.** We may offer communications via SMS texts or similar technology sent by MM or our service providers, such as when we send you text messages for customer service, account-related, or marketing purposes. To stop receiving text messages from a short code operated by MM, reply STOP. Note that we may send you a message to confirm receipt of your STOP request. Message and data rates may apply for this service. You can also opt-out of MM marketing texts by emailing us your request and mobile telephone number to [contact@forthepeople.com](mailto:contact@forthepeople.com).
- **Cookies.** Most browsers let you remove or stop accepting cookies from the websites you visit. To do this, follow the instructions in your browser's settings. Many browsers accept cookies by default until you change your settings. If you do not accept cookies, however, you may not be able to use all functionality of the Platform and our Site may not work properly. For more information about cookies, including how to see what cookies have been set on your browser and how to manage and delete them, visit [www.allaboutcookies.org](http://www.allaboutcookies.org).
- **Advertising Choices.** Some of our advertising partners are members of the Network Advertising Initiative (NAI) and are subject to the Self-Regulatory Principles for Online Behavioral Advertising published by the Digital Advertising Alliance (DAA). You can obtain more information about these companies' information collection practices and opt-out of receiving interest-based advertising from participating NAI and DAA members at [http://www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp) and/or the DAA's website at [optout.aboutads.info](http://optout.aboutads.info). You can also limit collection of your information for interest-based ads by blocking third party cookies in your browser settings or using privacy plug-ins or ad blocking software that help you block third party cookies. In addition, your mobile device settings may provide functionality to limit



use of the advertising ID associated with your mobile device for targeted online advertising purposes. If you opt-out of interest-based advertisements, you will still see advertisements online but they may be less relevant to you. Some of the third party advertising companies we may work with offer their own opt-out options that you can use to limit their use of your information for interest-based advertising. Please note that we also may work with companies that offer their own opt-out mechanisms, such as Google (<https://adssettings.google.com/authenticated>) and Facebook (<https://www.facebook.com/about/ads>), or do not participate in the opt-out mechanisms described above. Even after using these opt-out mechanisms, you may receive interest-based advertising from other companies.

- **Declining to Provide Information.** We need to collect personal information to provide certain services. If you do not provide the information requested, we may not be able to provide those services.

## INFORMATION SECURITY



MM takes commercially reasonable measures to secure and protect the personal information we collect. Nevertheless, no security system is impenetrable. We cannot guarantee the absolute security of your personal information. Moreover, we are not responsible for the security of information you transmit to us over networks that we do not control, including the Internet and wireless networks.

## LINKED WEBSITES

This Privacy Policy does not apply to third-party websites or social media features that may be accessed through links that we provide for your convenience and information. Accessing those links will cause you to leave MM's website and may result in the collection of information about you by a third party. We do not control, endorse or make any representations about those third party websites or their privacy practices, which may differ from ours. We encourage you to review the privacy policy of any site

you interact with before allowing the collection and use of your information.

## DO NOT TRACK REQUESTS

We adhere to the standards set out in this Privacy Policy and do not monitor or follow any Do Not Track browser requests. To find out more about "Do Not Track," please visit <http://www.allaboutdnt.com>.

## USING THE PLATFORM FROM OUTSIDE THE UNITED STATES

MM is headquartered in the United States of America, and we may have affiliates and service providers in the United States and other countries. Please be aware that your personal information may be transferred to, stored or processed in the United States, where our servers are located and our central database is operated, and other locations outside of your home country. The data protection and other laws of these countries might not be as comprehensive as those in your country. By using any portion of the Platform, you understand and consent to the transfer of your personal information to our facilities in the United States and those third parties with whom we share it as described in this Privacy Policy.



## CHILDREN'S PRIVACY

We do not knowingly solicit or collect personal information online from children under the age of 16. Please contact us as provided below in the Contact Us section if you believe we may have collected such information.

## YOUR CALIFORNIA PRIVACY RIGHTS

This section applies only to California residents. It describes how we collect, use, and share personal information of California residents when we act as a "business" as defined under California privacy law, and their rights with respect to their personal

information. For purposes of this section, “personal information” has the meaning given under California privacy law but does not include information exempted from the scope of those laws. In some situations we may provide a different privacy notice to certain categories of California residents, whereby that notice will apply instead of this section.

California Civil Code Section § 1798.83 permits users of our Platform who are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to contact@forthepeople.com.

In addition, the state of California provides California residents with certain other rights concerning their personal information. This section describes (1) the categories of personal information, collected and disclosed by MM, subject to California privacy law, (2) your privacy rights under California privacy law, and (3) how to exercise your rights.

### **Personal Information That We Collect, Use, and Disclose**

In accordance with California law, we describe:



- the categories of personal information we may have collected about you in the preceding 12 months and the categories of sources from which we collected your personal information in the section above called “Types of Personal Information We Collect”;
- the business and commercial purposes for which we collect this information in the section above called “Use of Personal Information”; and
- the categories of third parties to whom we disclose this information in the section above called “Sharing of Personal Information”.

MM must also disclose whether the following categories of personal information are disclosed for a “business purpose” or “valuable consideration” as those terms are defined under California privacy law, which also calls this latter category a “sale.” Note that while a category below may be marked, that does not necessarily mean that we have personal information in that category about you.

In the preceding twelve months, we have disclosed the following categories of personal information in the manner described:

<u>Category</u>	<u>Personal Information is Disclosed for a Business Purpose</u>	<u>Purpose Personal Information is Disclosed for Valuable Consideration</u>
<b>A. Individual Identifiers and Demographic Information</b>	Yes	Yes
<b>B. Sensitive Personal Information</b>	Yes	No
<b>C. Geolocation Data</b>	Yes	No
<b>E. Sensory Data</b>	Yes	No
<b>F. Biometric Information</b>	Yes	No

 **MESSAGE US**  
24/7/365

**G. Commercial Information** Yes; No

---

**H. Internet or Network Activity** Yes Yes

---

**I. Professional or Employment-Related Information** Yes No

---

**J. Education Information** Yes No

---

**K. Inferences Drawn from Personal Information** Yes No

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### **Your Privacy Rights Under California Law**

Under California law, subject to certain exceptions, California residents have the following rights with respect to their personal information:

- **Access.** You have the right to request information on the categories of personal information that we

collected about you in the previous 12 months, the categories of sources from which the personal information was collected, the specific pieces of personal information we have collected about you, the business and commercial purposes for which such personal information is collected and shared, and the categories of third parties to whom we disclose such personal information.

- **Erasure.** You have the right to request we delete your personal information, subject to certain exceptions.
- **Opt-Out of Sales.** If we “sell” your personal information, you can opt-out.
- **Non-discrimination.** California residents are entitled to exercise the rights described above free from discrimination or legally prohibited increases in the price or decreases in the quality of our products and services.

Please note, these rights are not absolute and in some situations we may not be able to respond to your request, such as when a legal exemption applies or if we are not able to verify your identity.

## **How to Request to Exercise Your California Privacy Rights**

If you would like to exercise your rights listed above, please follow the directions below:



- **Access and Erasure Rights.** Send (or have your authorized agent send) an email to [contact@forthepeople.com](mailto:contact@forthepeople.com) or call us toll-free at: 1-(844) 256-4550.
- **Right to Opt-Out of the Sale of Personal Information.** Under California law, some of the personal information that we share with our advertising partners may qualify as a “sale” as defined under California privacy law. To exercise your right to opt-out of such “sale”, please:
  - Email us at [contact@forthepeople.com](mailto:contact@forthepeople.com), or
  - Click here: [Do Not Sell My Personal Information.](#)

While we take measures to ensure that those responsible for receiving and responding to your request are informed of your rights and how to help you exercise those rights, when contacting us to exercise your rights, we ask you to please adhere to the following guidelines:

- **Tell Us Which Right You Are Exercising:** Specify which right you want to exercise and the personal information to which your request relates (if not to

you). If you are an authorized agent acting on behalf of another consumer, please clearly indicate this fact and your authority to act on such consumer's behalf. We may require the requester's proof of identification, the authorized agent's proof of identification, and any other information that we may request in order to verify your request, including evidence of valid permission to act on requester's behalf.

- **Help Us Verify Your Identity:** Provide us with information to verify your identity. Please note that if we cannot initially verify your identity, we may request additional information to complete the verification process. Any personal information you disclose to us for purposes of verifying your identity will solely be used for the purpose of verification.
- **Direct Our Response Delivery:** Please provide us with an e-mail or mailing address through which we can provide our response. If you make the request by email, unless otherwise requested, we will assume that we can respond to the email address from which you made the request.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee or decline to comply with your request if your request is clearly unfounded, repetitive, or excessive.



We try to respond to all legitimate requests within 45 days of your request. Occasionally it may take us longer than 45 days to respond, for instance if your request is particularly complex or you have made a number of requests. In this situation, we will notify you of the delay, and may continue to update you regarding the progress of our response.

## CHANGES TO THIS PRIVACY POLICY

MM may change this Privacy Policy from time to time to reflect changes in our practices or in applicable law. Such changes will be effective upon posting the revised Privacy Policy on our Platform. You will be able to tell when this Privacy Policy was last updated by the Last Updated date included at the bottom of this Privacy Policy. By continuing to use our Platform, or communicating electronically with us thereafter, you agree to accept such changes to this Privacy Policy.

## CONTACT US

If you have any questions about this Privacy Policy or MM's information privacy practices, please contact us at:

E-mail: [contact@forthepeople.com](mailto:contact@forthepeople.com)

Telephone: (407) 420-1414

Mail: Morgan & Morgan, PA, Attn: Privacy Policy, 20 North Orange Ave, Suite 1600, Orlando, FL 32801

**LAST UPDATED:** December 23, 2021

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